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Applicant: KUO, Wen-Yi
Serial No.: 10/705,358
Filed: November 11, 2003
Page 4

REMARKS

Applicant respectfully requests reconsideration of the above-identified application in view of the following remarks.

Status of the Claims

Claims 1-18 have been previously canceled. Claims 19-24 are pending in this application. Claims 20 and 24 are herein canceled without prejudice to filing them in a divisional or continuation application. Claims 19 and 21-23 have been amended. Claims 25 and 26 have been added. It is respectfully submitted that no new matter has been added.

Claim Rejections

35 U.S.C. § 112 Rejection

The Examiner rejected Claim 19 under 35 U.S.C. § 112, first paragraph, on the grounds that the enabling disclosure is not commensurate with the scope of the claims, because Claim 19 was said to be a single means claim. In response, Applicant has amended Claim 19 to include more than a single element. Therefore, it is respectfully submitted that Claim 19 is no longer a "single means" claim, and Applicant requests that the rejection of Claim 19 under 35 U.S.C. § 112, first paragraph, be withdrawn.

Double Patenting Rejection

On pages 2-3 of the Office Action, the Examiner rejected Claims 19-24 for non-statutory obviousness-type double patenting over Claims 1-5 of U.S. Patent No. 6,647,055 (Wen-Yi). According to the Examiner, although the conflicting claims are not identical, they are not patentably distinct from each other because this application and the Wen-Yi patent describe a digital wireless rake receiver comprising a device for calculating the pilot signal during an integration window.

In response, Applicant submits herewith a Terminal Disclaimer under 37 C.F.R. § 1.321, disclaiming the term of a patent granted on this application after the expiration of U.S. Patent

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Page 5

No. 6,647,055 (Wen-Yi). Accordingly, it respectfully requested that the obviousness-type double patenting rejection of Claims 19-24 be withdrawn.

35 U.S.C. § 102 Rejections

The Examiner rejected Claim 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,737,327 (Ling et al.). The Examiner also rejected Claims 19 and 24 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,847,832 (Wong et al.). According to the Examiner, Ling et al. and Wong et al. disclose a digital wireless rake receiver comprising a demodulator to calculate the pilot signal during an integration window.

In response, Applicant has canceled claim 24, thereby rendering its rejection moot, and has amended Claim 19 to include, inter alia, "an integrator for integrating said pilot signal of said associated signal over a symmetric integration window of approximately 13% of a Doppler period of said pilot signal", including the limitations of claim 20, which has now been canceled. It is respectfully submitted that neither Ling et al. nor Wong et al. teach or suggest the claimed "symmetric integration window of approximately 13% of a Doppler period of said pilot signal". Applicant respectfully requests the withdrawal of the rejection of Claim 19 under 35 U.S.C. § 102(b) and of Claims 19 and 24 under 35 U.S.C. § 102(e).

Claims 21-23 were not rejected in the Office Action dated February 1, 2007 based upon prior art. Nevertheless, these claims have been amended herein in order to further particularly point out and distinctly claim the subject matter of the invention. Namely, claim 21 has been redrafted as an independent claims including the limitations of original independent Claim 19, and claims 22-23 have been amended for clarification. Applicant asserts that no new matter has been added by these amendments.

New Claims 25 and 26 have been added in order to further particularly point out and distinctly claim the subject matter of the invention. These claims are identical to amended claims 22 and 23 except for their dependency upon claim 21 rather than claim 19.

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Page 6

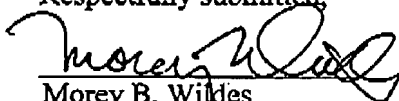
CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that the pending claims distinguish over the prior art of record and are in condition for allowance. Favorable consideration and passage to issue are therefore respectfully requested.

The Examiner is invited to telephone the undersigned to discuss any still outstanding matters with respect to the present application.

Applicant is submitting herewith the fee for the Petition for a One Month Extension of Time and the fee for a Terminal Disclaimer, Other than these fees, no fees are believed to be due in connection with this paper. However if any such fees are due, please change any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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